



## Title I Part D Neglected/Delinquent

SD DOE  
NCLB Conference  
April 18, 2007  
Huron, SD



## All Programs

### **Sub-Part 1**

State Agencies  
Department of Human Services  
Department of Corrections  
Adult  
Juvenile

### **Sub-Part 2**

LEA – Delinquent  
LEA - Neglected



## **Program Requirements (All Programs)**

### **Due July 1 – Application**

#### Sub-Part 1

Department of Human Services

Department of Corrections

1 application – 4 program specific  
sections



## **Program Requirements (All Programs)**

### **Due July 1 – Application**

#### Sub-Part 2

LEA – Delinquent

LEA - Neglected



**Counts are Due December 21, 2007**

Sub-Part 1 – Day-in-Time Count

Sub-Part 2 – October Count – Student must reside in a live-in institution for at least one day within the 30-day count window (of which one day must be in October) our window is October 1-30. Students do not need to be enrolled for 30 consecutive days.



October Count – LEAs

Q – Can students be included in the Subpart 2 count if they are attending a community day program at the facility, but not residing overnight?

A - No, the count only includes youth residing in local institutions; community day school students may not be part of the Subpart 2 count for generating funding. However, once funding is determined, community day school students may be served by the LEA with a Subpart 2 grant.

US ED Nov 28,2006

## Allowable Uses of Funds

Title I Part D funds must be used for supplemental services.

-Can not use on the regular education program

## Allowable Uses of Funds – Sub-part 1

### H-1.What activities may Subpart 1 funds support? Page 11

Under the authorizing statute, an SA must use Subpart 1 funds to support educational services that (1) except for institution-wide projects (see section 1415(a)(2)(B)(i)), are provided to children and youth identified by the SA as failing, or most at-risk of failing, to meet the State's challenging academic content and student academic achievement standards; and (2) supplement and improve the quality of educational services provided to these children and youth by the SA. The statute further provides that Subpart 1 funds may be used to acquire equipment that will be used to help the children and youth the SA serves to meet challenging State academic content and student academic achievement standards, and to cover the costs of meeting the evaluation requirements of section 9601 of ESEA.

- Projects may use Subpart 1 funds to pay the necessary and reasonable costs that provide a variety of services, including reading, mathematics, language arts, and vocationally oriented programs that include academic classroom instruction so long as these are supplementary services and materials. For example, past Subpart 1 projects have used funds to:
- Hire additional teachers, aides, educational counselors, and other staff members to provide additional instruction in areas of greatest need;
- Train teachers, aides, and other staff members who are actively involved in providing Title I services;
- Procure needed educational materials and equipment for Title I instruction, including books, computers, audiovisual equipment and supplies, and classroom materials for industrial arts and vocational training; and
- Hire transition coordinators or buy new equipment to assist students' transitions (e.g., purchasing scanners to scan individualized education program (IEP) documents).

## Allowable Uses of Funds – Sub-part 1

### State Agencies

Transition – must set aside 15%-30%  
for transition

## Allowable Uses of Funds – Sub-part 2

### Page 24 - Guidance

#### O-1. What are the requirements for the use of Subpart 2 funds?

- An LEA receiving Subpart 2 funds may use the funds to operate programs that involve collaboration with locally operated facilities with which the LEA has established formal agreements regarding the services to be provided:
- To carry out high-quality education programs that prepare children and youth to complete high school, enter training or employment programs, or further their education;
- To provide activities that facilitate the transition of such children and youth from the correctional program in an institution to further education or employment; and
- To operate dropout prevention programs in local schools for children and youth who are at-risk of dropping out or youth returning from correctional facilities.

An LEA also may use Subpart 2 funds, as appropriate, for:

- Dropout prevention programs that serve at-risk children and youth. An at-risk child or youth means a school-aged individual who is at-risk of academic failure, has a drug or alcohol problem, is pregnant or is a parent, has previously come into contact with the juvenile justice system, is at least 1 year behind the expected grade level for the age of the individual, is a migrant or an immigrant, has limited English proficiency, is a gang member, has previously dropped out of school, or has a high absenteeism rate at school.
- Coordination of health and social services for children and youth who are at-risk (e.g., day care, drug and/or alcohol abuse counseling and mental health services) if there is a likelihood that providing such services will help these children complete their education.
- Special programs that meet the unique academic needs of children and youth who are at-risk, including vocational and technical education, special education, career counseling, curriculum-based entrepreneurship education and assistance in securing of student loans or grants for postsecondary education.
- Programs providing mentoring and peer mediation.
- An LEA receiving Subpart 2 funds must use a portion of its funds to operate a dropout prevention program for students returning from a locally operated correctional facility. However, an LEA that serves a school operated by a locally operated correctional facility, in which more than 30 percent of the children and youth attending the school will reside outside the boundaries served by the LEA upon leaving the facility, is not required to operate a dropout prevention program within the school and may use all of its Subpart 2 funds for programs in locally operated correctional facilities, provided that those facilities have a formal agreement with the LEA.

## Allowable Uses of Funds – Sub-part 2

- An LEA receiving Subpart 2 funds must use a portion of its funds to operate a dropout prevention program for students returning from a locally operated correctional facility. However, an LEA that serves a school operated by a locally operated correctional facility, in which more than 30 percent of the children and youth attending the school will reside outside the boundaries served by the LEA upon leaving the facility, is not required to operate a dropout prevention program within the school and may use all of its Subpart 2 funds for programs in locally operated correctional facilities, provided that those facilities have a formal agreement with the LEA.

## Allowable Uses of Funds – Sub-part 2

LEAs –

Must determine what percentage of students are staying in the district upon release.

If 70% or more stay in the district dropout prevention is mandated.

This is determined per school/facility, not district combined.

No requirement on the percentage or amount that must be used on dropout prevention.



## Program Evaluation - Data

**Data Reporting Due January 1**

**No word yet on possible changes to the data requested.**

**All programs report the same data - form with adjustments per program.**

**Who to report**

**Report those receiving services**

**Enrolled – only those in Part D funded program**



## Program Evaluation - Data

**Sub-Part 1 – State Agencies**

**How to Report-**

**Department of Corrections**

**Adult**

**Juvenile Corrections**

**Human Services Center**

**Other programs**



## Program Evaluation - Data

### Sub-Part 2 LEAs

How to Report -

Neglected – Parkston, Mitchell, Chamberlain

Detention –     Aberdeen JDC  
                      Rapid City -JDC  
                      Huron – JDC  
                      Sioux Falls JDC  
                      Todd County - JDC

Juvenile Corrections - All other LEAs



## Outcomes - Data

While in facility – earned high school course credits, enrolled in GED program

While in facility or within 30 calendar days

Enrolled in their local district school

Earned a GED

Obtained high school diploma

Were accepted into post-secondary education

Enrolled in post-secondary education

Enrolled in external job training education

Obtained employment

While in facility

Enrolled in elective job training courses/programs





## Outcomes - Data

### Data Collection

Agreement between LEA/Facility

FERPA – Family Educational Rights and  
Privacy Act

State Level Agreement



## Evaluation – Indicators in the Statutes

Academic – Assessment – Dakota Step  
Pre-Post tests

Credits accrual

Grade Promotion

Graduation

Transition – successful – stay in school

Complete secondary school/employment

Post secondary/job training

## LEA – Delinquent Programs

### 11 Essential Elements of Agreements with Agencies

Each locally operated correctional facility that receives assistance under Subpart 2 must have a formal agreement with the LEA outlining the programs and services to be provided to its population with Subpart 2 funds. Each correctional facility must:

- Where feasible, ensure that educational programs in the correctional facility are coordinated with the student's home school, particularly with respect to students with an IEP under Part B of the Individuals with Disabilities Education Act (IDEA);
- Notify the local school of the child or youth if the child or youth is identified while in the facility as being in need of special education and related services;
- Where feasible, provide transition assistance to help the child or youth stay in school, including coordination of services for the family, counseling, assistance in accessing drug and alcohol abuse prevention programs, tutoring, and family counseling;
- Provide support programs that encourage children and youth who have dropped out of school to reenter school once they have completed their term at the correctional facility, or provide them with the skills necessary to gain employment or to seek a secondary school diploma or its recognized equivalent;
- Work to ensure that the correctional facility is staffed with teachers and other qualified staff who are trained to work with children and youth who have disabilities taking into consideration the unique needs of such children and youth;
- Ensure that educational programs in the correctional facility are related to assisting students to meet high academic achievement standards;
- Use, to the extent possible, technology to assist in coordinating educational programs between the correctional facility and the community school;
- Where feasible, involve parents in efforts to improve the educational achievement of their children and to prevent further involvement of such children in delinquent activities;
- Coordinate Subpart 2 funds with other Federal, State, and local funds to provide services to participating children and youth, such as funds made available under Title I of the Workforce Investment Act of 1998 (P.L. 105-220) and vocational and technical education funds;
- Coordinate Subpart 2 programs with activities funded under the Juvenile Justice and Delinquency Prevention Act of 1974 and other comparable programs, if applicable; and
- Work, where appropriate, with local businesses to develop training, curriculum-based youth entrepreneurship education, and mentoring programs for children and youth.

## LEA – Neglected Programs

- How assurance is made that educational programs in the facility are related to assisting students to meet high academic achievement standards.
- How the facility is staffed with teachers and other qualified staff who are trained to work with children and youth who have disabilities taking into consideration the unique needs of such children and youth.
- How the educational programs in the facility are coordinated with the student's home school, particularly with respect to students with an IEP under Part B of the Individuals with Disabilities Education Act (IDEA).
- How notification of the local school of the child or youth will be handled if the child or youth is identified while in the facility as being in need of special education and related services.
- How transition assistance is provided to help the child or youth stay in school, including coordination of services for the family, counseling, assistance in accessing drug and alcohol abuse prevention programs, tutoring, and family counseling.
- How technology is used to assist in coordinating educational programs between the facility, the home school, and the LEA program.



**Because the Laws Say So.....**Gary Rutkin, US ED

- ❖ Section 1401 in NCLB
- ❖ JJDP Act, Title II
- ❖ IDEA Sub-Part 14, Section 5541



Section 1401 of NCLB includes the requirement to provide services needed to make successful transitions to further schooling and to prevent students from dropping out of the education process.

Youth in facilities that are for neglected or delinquent youth must be prioritized by their SEAs in an effort to assure their ability to compete with their non-institutionalized peers.

Gary Rutkin, US ED



## Transition It Really is the Law X2

Title II of the Juvenile Justice and Delinquency Prevention Act of 2002 requires states to provide comprehensive juvenile justice and delinquency prevention programs that meet the needs of youth through collaboration with other agencies and local systems before which youth may appear, including schools, cw, mh, health care orgs, law enforcement agencies, courts, etc. It specifically requires:

- Educational programs to encourage juveniles to stay in middle, secondary, and/or alternative schools;
- To provide services to assist juveniles in making the transition to the world of work and self sufficiency, and enhance coordination with local schools that such juveniles would otherwise attend;
- Assure that the instruction juveniles receive outside their schools be closely aligned with the instruction provided in their home schools; and any information regarding learning disabilities identified in other placements be communicated to the schools.

➤ Gary Rutkin, US ED



## Transition It is the Law X3

- The Individuals with Disabilities Education Act ensures that all children with disabilities have available to them a free and appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for employment and independent living. (Parts B & C of IEP Process)
- IDEA requires transition plans be included for special education students 14 years and older. It also requires that plans for children over 16 include vocational plans.

Gary Rutkin, US ED

State Plan

Review State Plan  
Comments

Monitoring Schedule

**2006-2007**  
Sioux Falls  
Chamberlain  
Redfield  
BHSSC

**2007-2008**  
Huron  
East Dakota  
Harding County  
HSC  
Corrections  
Parkston  
Beresford

**2008-2009**  
Rapid City  
Todd County  
Aberdeen  
Plankinton  
Mitchell



## Information

Laura Johnson Frame

773-2491

[laura.johnson-frame@state.sd.us](mailto:laura.johnson-frame@state.sd.us)

NDTAC – the US ED funded technical assistance center.  
NDTAC provides Information on law, guidance, monthly  
conference calls, and other topics. Go to  
[www.neglected-delinquent.org](http://www.neglected-delinquent.org)

To sign up for the listserv -

<http://www.neglected-delinquent.org/nd/listserv.asp>



## Materials

Guidance  
State Plan  
Application Questions  
Year-end Report  
Sample Data Questions  
Self Assessment for Monitoring  
Guide on Pre-Post Assessments  
FERPA Information  
Special Education Information  
Transition Toolkit  
Records Transition  
Dropout Prevention